

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

B. GARY DAY,

Plaintiff,

vs.

WALTER EDWARD FRENCH, III,
CHRISTOPHER B. FRENCH, et al.,

Defendants.

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3:06 CV-260MHT

JOINT REPORT AS TO STATUS OF PARALLEL CRIMINAL PROCEEDING

COMES NOW, Plaintiff B. Gary Day, and Defendants Walter Edward French, Christopher B. French, Jerome Short, and John Flory, in the above-styled cause, by and through counsel of record, and this Court's previous order (Doc. No. 20), provide the following as their report as to the status of the parallel criminal proceeding:

1. The parallel criminal proceeding has not been adjudicated and is currently pending in the Circuit Court of Russell County, Alabama;
2. The parallel criminal proceeding is scheduled to be tried on August 29, 2006;
3. The parties request that the stay remain in place pending the ultimate resolution of the parallel criminal proceeding;

Respectfully submitted this the 3rd day of July, 2006.

ATTORNEYS FOR DEFENDANTS –
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